

## **City of Newark Government Access Channel Procedures and Policies**

### **I. PURPOSE**

To define the function of the Newark Government Access Channel, (NWK-TV), provide direction to City of Newark staff and assist the public in understanding the services offered by the Government Access Channel.

### **II. MISSION STATEMENT AND GOALS**

The mission of the NWK-TV Government Access Channel is to serve the community as a valued resource by providing information. NWK-TV will inform residents of the City's initiatives and public meetings, develop and showcase original content that highlights the many facets of Newark, and will integrate cable with other communication tools as part of the overall communications strategy.

The goals of the Government Access Channel include, but are not limited to:

- A. Increase community awareness of the depth and breadth of important issues confronting the city and create a source of information;
- B. Provide the public with information about local government operations through coverage of public meetings and government proceedings in action;
- C. Promote the city and showcase services provided to the community. Produce programs covering city-sponsored events;
- D. Promote Newark to investors, developers and various stakeholders in and outside of the City of Newark;
- E. Improve emergency communications in the event of disaster or widespread service disruption;
- F. Create a library of city programming for historical purposes;
- G. Create partnerships and generate sponsorships from businesses, tourism and other not for profit organizations.

### **III. ELIGIBLE USERS OF THE GOVERNMENT ACCESS CHANNEL**

Only Government Access Channel Users shall be entitled to use the Government Access Channel. "Government Access Channel Users" are defined as follows:

- A. City of Newark elected officials, Municipal Council and Clerk;
- B. City of Newark Boards and Commissions;
- C. City of Newark special committees and task forces; and

- D. City of Newark department heads or their designees.

All programming and bulletin board content must be government related. Requests must come from the eligible users listed above, approved by the respective department director and or the Mayor before presented to the Office of Communications for final approval.

For additional information on eligible users, please refer to section VI; 'Requests for Airtime'.

#### IV. PROGRAMMING POLICIES

- A. All programming taped and or aired on NWK-TV Government Access Channel must support NWK-TV's mission and goals.
- B. Programming must not contain audio or visual material which presents a commercial transaction.
- C. All programming produced for the Government Access Channel shall be copyrighted and may only be reproduced for personal, non-commercial home use by individuals.
- D. Retransmission or any unauthorized use of its programming in part or whole is strictly forbidden without the written consent of the Director of the Office of Communications.
- E. Programming that violates FCC guidelines for access television including: commercial/for -profit making enterprises, trade, or businesses announcements, obscene, indecent, libelous or slanderous speech, lottery information or other illegal content is strictly prohibited.
- F. The City of Newark reserves the right to refuse to transmit all or any portion of a program or message that promotes any activity which is illegal under City, State or Federal law or in violation of these procedures and guidelines.
- G. All Government Access Channel Users are responsible for securing and clearing any copyrighted material used in their programs and must furnish written proof of such permission prior to receiving approval for the broadcast of any programming. No program will be approved for broadcast or aired unless and until such written permissions are received and verified by the Office of Communications. In the event that a Government Access Channel User claims that no permission for use of copyrighted material is necessary, the Government Access User shall provide a written explanation to the Office of Communications detailing why no such permission is necessary. The Office of Communications shall forward the written explanation to the City's Department of Law for review and advice prior to granting or denying approval for broadcast.
- H. Programming which promotes political candidates, issues or viewpoints except as provided for in sanctioned City debates or forums is prohibited.

- I. Facility hours of operation: General Office hours are Mondays-Friday 9:00am-5:30pm. Studio appointments and other arrangements can be made in advance by contacting the office of the Government Access Studio Manager.
- J. Studio Policies
  - 1. Only crew members and talent directly involved with the production are allowed in the studio. All studio participants including crew, talent, guests and visitors must enter from the front door and sign in prior to commencing studio operations.
  - 2. No food or drink will be allowed while using the studio. No smoking is allowed on the premises.
  - 3. Please be prompt in your arrival to and departure from the studio and adhere to your reserved time slot.
- K. Production Procedure Outline
  - 1. Government Access Channel Users who ask for studio time must hand in a **Studio Application** requesting the time and date to tape in the studio a **User Application** and a signed **Access Contract** , 15 days prior to the requested studio taping date. (See forms on pages 7-10)
  - 2. Studio application can be delivered via email, fax or in person. Studio taping appointments will be approved and confirmed by the Office of Communications via email.
  - 3. Government Access Channel Users must submit a talent release form signed by all guests appearing on shows taped in studio facility.
  - 4. When using copyrighted material, all rights for the use of that material must be obtained by the applicant access user and written proof of such permission must be furnished to NWK-TV Government Access Channel.
  - 5. Notification of taping cancellations should be given at least 24 hours in advance.
  - 6. The City of Newark shall be held harmless for tapings completed outside the studio facility.

V. SPONSORING AND UNDERWRITING

Sponsorship and underwriting of programs in a style similar to PBS is allowed and encouraged. Any effort by an applicant to reduce and economize production costs is helpful and demonstrates interest by the municipal access user in obtaining project approval.

## VI. REQUESTS FOR AIRTIME

Only requests that meet Newark Government Access requirements will be scheduled for airing. A **"Request for Airtime"** form must be submitted at least (15) days prior to requested airdate. (See page 11). A completed **Access Contract** (form on pages 8-9) must be submitted as well.

Programs that do not abide by these procedures and policies can and will be rejected for airing. Users who have a request rejected will have 10 days to ask the Office of Communications to reconsider its decision.

Public meetings held in the Council Chambers by other governmental jurisdictions such as the County, State or Federal government may be covered live, or videotaped and aired if approved by the Office of Communications. Compensation shall be made to the Channel for all expenses incurred and services provided.

Videotapes of public meetings of other governmental jurisdictions may be aired if approved in advance by the Office of Communications and if compensation is made to the Channel for all expenses incurred and services provided. The government entity must abide by the City of Newark's government access guidelines and copyright rules holding the city harmless of copyright infringements.

Note: Live cablecasts will take precedence in scheduling. Taped meetings, shows and other special events will be scheduled in open times between live broadcasts as determined by the Office of Communications.

## VII. MEDIA FORMAT SPECIFICATIONS AND TECHNICAL STANDARDS

Programs will be accepted in Betacam, DVD, DV, DVC-Pro and DV-Cam formats. Programs should meet minimum audio and video technical standards, which include consistent control track, video and audio.

If any of the following requirements are not met, a program will not be scheduled or aired.

- A. All media must be clearly labeled with the following: individual title; name and phone number; program contact person, and exact program length, in point and out point.
- B. Each program must start near the beginning of the tape.
- C. There may be only one (1) program recorded per tape/disc submitted. No other audio or video should precede the bars, tone and countdown.
- D. Tapes must begin with at least forty (40) seconds of color bars and tone (0db), countdown and two (2) seconds of silent black or video should precede the bars, tone and countdown.
- E. Tapes must have a clear-cut ending point, followed immediately by at least one (1) minute of silent black.

- F. Video levels must exceed 100 IRE.
- G. Audio levels must consistently peak at 0db.
- H. Programs that have been recycled to many times, are of inferior quality, dusty or dirty, have excessive drop out or labels that are flaking or peeling off may not be accepted or aired.

Neither the City, nor any department, official, employee and/or agent thereof, shall be responsible for the loss, theft, loss of data, damage or destruction of any material submitted to it by any person, department or organization. All materials submitted are at the Government Access Channel User's own risk. The City highly recommends all Government Access Channel Users make copies of any and all materials submitted for broadcast prior to submission.

#### VIII. CITY COUNCIL MEETING COVERAGE

City Council meetings and any other public meeting will be covered and aired, to the extent possible, gavel to gavel, without editing or interruption. Exclusions apply to meetings or portions of meetings which are closed to the public or when the Council directs otherwise.

Cameras used for the gavel to gavel coverage shall be owned by the city and operated only by City employees, persons under contract with the City of Newark and interns trained and authorized by the Office of Communications.

The City Clerk's minutes shall remain the official record of Council proceedings, and videotapes may be used as an aid in the preparation of those minutes. Council coverage tapes are available for viewing and purchase by the public through the City Clerk's Office.

#### IX. PRESS CONFERENCE COVERAGE

NWK-TV will use its best effort to cover all press conferences, by request, on a first come first serve basis, subject to equipment and personnel availability and lack of conflict with previously scheduled productions/events.

#### X. ELECTED OFFICIAL APPEARANCES; LIMITATION ON CANDIDATES

Elected officials may appear in public service announcements to be aired on the municipal access channel as long as their appearance is on the behalf of a City department, City sponsored project or a matter within the jurisdiction of any City Committee or Commission. There will be a blackout period when no public service announcements with elected officials who are officially qualified candidates for the election will be aired.

Elected officials may appear as guests or interviewees as part of a municipal access program as long as their appearances are on the behalf of a City department, City sponsored project or a matter within the jurisdiction of any City Committee or Commission. There will be a blackout period when no programs with elected officials who are officially qualified candidates for the election will be aired.

#### XI. BULLETIN BOARD INFORMATION

- A. Content provided for character generated messages is limited only to programs, activities and services provided by the City of Newark and its affiliate agencies. Messages from the public shall not be broadcast.
- B. Textual information shall be displayed throughout the City of Newark except at times when other programming has been scheduled by the Office of Communications.
- C. This service will operate 24 hours a day when other programming is not scheduled.
- D. A request form must be used when submitting messages for display on the Channel. (See page 12) The form can be obtained by the Office of Communications. All information must be approved by the respective head of department and the Communications department prior to being submitted for on air display.
- E. Community Calendar information should be submitted a minimum of three (3) weeks prior to the event.

#### XII. EMERGENCY ANNOUNCEMENTS

Weather advisories and announcements of unexpected events such as disasters and widespread service disruptions shall take precedence and be posted immediately. All information must be approved by the City of Newark Office of Communications.

#### XIII. WEB STREAMING OF PROGRAMMING

The Government Access Channel will be available for viewing via streaming video through a limited bandwidth available to all Newark residents with Internet access.

#### XIV. DUPLICATION REQUESTS

One (1) complimentary copy of a Government Access original program or public meeting will be provided to the sponsoring department/organization of the event. Additional duplicates will be available for purchase upon written request. \* Rate card and form to be created.

At any time only duplication requests for government access related programming will be processed within two weeks of submitting a form to the Office of Communications.

#### XV. ARCHIVING POLICY

Any program produced by the Newark Government Access Channel will be held in the videotape library for a minimum of 4 years.

Raw footage, if it is deemed to have value for use in the future, may be retained in the videotape library. All other raw footage will be recycled one year after the completion of the videotape program.

#### XVI. INTERNSHIPS AND MENTORING

A mentoring program will be created to recruit qualified intern candidates from neighboring colleges where students will gain valuable television production experience and obtain college credit from their respective learning institution for their services.

## **City of Newark Government Access Channel User Application**

Program Title: \_\_\_\_\_

Name of Applicant: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_ Fax: \_\_\_\_\_

Program length: \_\_\_\_\_ Single Program: [ ] Series: [ ]

Program Description: \_\_\_\_\_

\_\_\_\_\_

Desired time slot: 1<sup>st</sup> Choice \_\_\_\_\_ 2<sup>nd</sup> Choice \_\_\_\_\_  
Day & Time Day & Time

Tape format: DVD [ ] DV [ ] DVC-Pro [ ] DV-Cam [ ]

**I have read the City of Newark Government Access Channel Policies and Procedures and Contract and agree to comply with the same and any and all regulations promulgated pursuant thereto. I understand that a completed Access User Contract must be submitted to, or be on file with, the Office of Communications prior to any use of the Government Access Channel facility or the cable casting of any Government Access Channel programming.**

\_\_\_\_\_  
**Department Director Approval**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Applicant's Signature**

\_\_\_\_\_  
**Date**



## **City of Newark Government Access Contract**

**I.** Applicant has read the City of Newark Government Access rules and agrees to abide by all the provisions contained therein. NWK-TV Government Access rules are hereby incorporated by reference and made part of this agreement. All capitalized terms used herein are defined in such Access rules.

**II.** Applicant warrants that its cablecast presentations on NWK-TV shall not include the following material:

- A)** Any obscene material or otherwise unprotected speech.
- B)** Any advertisement of or information concerning any lottery, gift enterprise or similar scheme, offering prizes dependent in whole or in part upon lot or chance, or any list of the prizes drawn or awarded by means of any such lottery, gift, enterprise or scheme, whether said list contains any parts or all of such prizes. Provided, however, that this prohibition shall not apply to advertisements or lists of prizes or information concerning a lottery conducted by a State acting under the authority of State law when such information is transmitted under the circumstances described in the Access Rules.
- C)** Presentation of commercial transactions, as more fully described in the City of Newark Government Access Policies and Procedures, attached hereto.
- D)** Applicant is responsible for all music synchronization rights (that is, permission granted by an owner, to the applicant allowing the music to be inserted/taped)
- E)** Applicant further agrees to indemnify and hold harmless the City of Newark, New Jersey and its Office of Communications from any liability, loss, penalties, damages or consequential damages, including all attorney fees, which may be imposed by reason of any claim that any material submitted by Applicant violates or infringes upon the rights, trade names, trademarks, copyrights, patents, literary or dramatic rights, music synchronization rights or rights of privacy of any other owner, licensor, copyright holder or any writer, composer or other person, corporation, partnership or entity, or that said material constitutes libel or slander.
- F)** Applicant agrees to submit its program for review prior to approval by the City of Newark Office of Communications Access Guidelines. Applicant agrees to comply with the technical specifications set forth by the Newark Government Access Channel (NWK-TV), Program and Production facility policies and procedures attached hereto for program material submitted by Applicant to NWK-TV for transmission over the municipal access channel. Video and audio signals received for transmission via common carrier or private distribution means must comply with the technical specifications set forth in the Government Access rules.
- G)** Applicant agrees that programs taped in the studio facility of NWK-TV as well as community bulletin content aired on said channel, must be government related and will not be exploited for profit, political or commercial fundraising in any fashion.

**Applicant:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print

\_\_\_\_\_  
Organization

\_\_\_\_\_  
Date

\_\_\_\_\_  
Department Director Approval

\_\_\_\_\_  
Date

City of Newark Office of Communications, NWK-TV

By \_\_\_\_\_

Date \_\_\_\_\_

## **City of Newark Government Access Studio Application**

Name: \_\_\_\_\_

Program Title: \_\_\_\_\_

Date(s) Requested: \_\_\_\_\_

Alternate Date: \_\_\_\_\_

Program Contact: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Assistants: \_\_\_\_\_

Guests: \_\_\_\_\_

Program subject: \_\_\_\_\_

Sponsorship/Underwriting: \_\_\_\_\_

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I have read the Government Access Rules and understand that this Application and a completed Access User contract must be submitted at least fifteen (15) days prior to requested taping date.

Applicant's Signature:

Date:

Department Director Approval:

Date:

Office of Communications Approval:

Date:

## **City of Newark Government Access Request for Airtime**

Program Contact: \_\_\_\_\_

Department/Organization: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Program Title: \_\_\_\_\_

Date(s) Requested: \_\_\_\_\_

Alternate Date: \_\_\_\_\_

Program Contact: \_\_\_\_\_

Program subject: \_\_\_\_\_

Duration: \_\_\_\_\_

Program Format:	Betacam	DVC-Pro	DV	DVD	DV-Cam
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I have read the Government Access Rules and understand that this Application must be submitted at least fifteen (15) days prior to requested air date. I also understand that a completed Access User contract and Studio Application if applicable, must be submitted at least (15) days prior to requested air date.

Applicant's Signature:

Date:

Department Director Approval:

Date:

Office of Communications Approval:

Date:

## **Governmental Access Programming Talent Release Form**

To Whom It May Concern:

I hereby agree to your recording my appearance and participation in a television program being created by you to appear on the Government Access Channel.

I acknowledge that you are and will be the sole owner of all rights in and to the program.

You shall have the right to use my name, portrait, picture, and biographical material to publicize and advertise the program.

I hereby indemnify the City of Newark, related departments and agencies against any and all claims, damages, liabilities, costs and expenses arising out of the use of ideas or words expressed by me in connection therewith.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

NAME, ADDRESS AND SIGNATURE OF PARENT OR GUARDIAN, IF TALENT IS A MINOR:

\_\_\_\_\_  
Name (please print)

\_\_\_\_\_  
Address

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## **Bulletin Board User Agreement Form**

Name: \_\_\_\_\_

Department: \_\_\_\_\_

Department Director: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Fax: \_\_\_\_\_

I/we accept full responsibility for the bulletin submitted for broadcasting on the Bulletin Board of the City of Newark's Government Access Channel. I individually and on behalf of the organization listed above, hereby agree to indemnify and hold harmless Operator and its affiliates, officers, directors, employees and agents from the liability, damages and expenses (including legal fees) arising out of any and all claims incurred as a result of broadcasting this bulletin. I/we acknowledge that Operator shall not be liable to me/us for any failure of Operator to broadcast this bulletin as scheduled, whether because of the mechanical breakdown of equipment or any other reason.

Contact Person: \_\_\_\_\_ Phone: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Department Director Approval: \_\_\_\_\_ Date: \_\_\_\_\_

Please fill out form below with the applicable information. Forms must be submitted at least (3) weeks prior to the date along with your typed or clearly printed message to begin airing on the Community Bulletin Board sent via email, fax, mail or dropped off to the City of Newark Office of Communications.

Type of event: \_\_\_\_\_

Posting date: \_\_\_\_\_ Posting end date: \_\_\_\_\_

Special Instructions: \_\_\_\_\_

Submit this form: Fax to 973-733-5352 Email: [peress@ci.newark.nj.us](mailto:peress@ci.newark.nj.us) and [peterkind@ci.newark.nj.us](mailto:peterkind@ci.newark.nj.us).  
Drop or Mail to: Office of Communications, 920 Broad St. Rm. 222, Newark, NJ 017102

**For Government Access Channel Use Only:** Request received on \_\_\_\_\_ by \_\_\_\_\_

Date Posted: \_\_\_\_\_ Category: \_\_\_\_\_

Contact Person: \_\_\_\_\_